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## *Via Electronic Case Filing*

October 21, 2019

Hon. Joanna Seybert, USDJ  
United States District Court  
100 Federal Plaza  
Central Islip, NY 11722

*Index No: 19-cv-5165 (JS)(AKT)*

**Re: Linda Snyder and J.S., individually and behalf of all other similarly situated individuals v. Nassau County et al.**

### **Defense Counsel's Inability to Obtain records from Nassau County Department of Probation**

Dear Judge Seybert:

As attorney for the Plaintiffs I respectfully request that Your Honor not extend Defendants' time to answer Plaintiffs Order to Show Cause again. Defendants' time has already been extended no less than two times previously and the issue at the heart of the action—the improper collection, management, distribution and disposition of psychological test records obtained from accused but not convicted minor children must be addressed as soon as possible.

I must also report that during a telephone conference Friday October 18, 2019, Nassau County Attorney, Pablo Fernandez, advised me that the Defendant Nassau County Department of Probation who is represented by the Nassau County Attorney refuses to produce records concerning infant J.S. not just to the Plaintiffs, but to their office as well.

I was told that the Nassau County Attorney will seek another adjournment. Plaintiffs do not consent to further delay because, among other reasons and contrary to previous representations otherwise, the Adolescent Diversion Part is still functioning as it is alleged in Plaintiffs' Amended Verified Complaint in violation of the federal Health Insurance Portability & Accountability Act of 1996 (HIPAA) and in derogation of the Constitutional rights of the minor Defendants.

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The new information that Defendant Nassau County Department of Probation refuses to furnish its own counsel records pertaining to the purported defenses that the County of Nassau claims to have further cries out for immediate action by this Honorable Court.

Justice delayed is justice denied.

We thank the Court for its kind consideration.

Respectfully Submitted,

CORY H. MORRIS

CM:vjy